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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,964	03/30/2001	Lev Brouk	GRCN001/02US	3907
22434	7590	06/27/2006	EXAMINER	
BEYER WEAVER & THOMAS, LLP			LEE, PHILIP C	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			2152	

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,964

Applicant(s)

BROUK ET AL.

Examiner

Philip C. Lee

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/27/06, 4/19/06</u> | 6) <input type="checkbox"/> Other: _____ |

1. This action is responsive to the amendment and remarks filed on March 27, 2006.
2. Claims 1-16 are presented for examination.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 102

4. Claims 9-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Zombek et al, U.S. Patent 6,704,768 (hereinafter Zombek).
5. Zombek was cited in the last office action.
6. As per claim 9, Zombek taught the invention as claimed comprising:
associating an identifier with an entity that has been authenticated by said message routing network, wherein said identifier is to be associated with an entity account upon authentication of said entity with a first service that supports said entity account (col. 20, lines 35-51; col. 21, lines 32-53; col. 22, lines 23-29);
receiving, from a second service, a message including said identifier, said message being directed to a mapped service (e.g. MR) (col. 20, lines 47-52; col. 21, lines 6-13), wherein said mapped service is an entity account-specific representation of said first service (col.

21, lines 39-53) (i.e. MR represents the service type of the BES or server application) and acts as a proxy for said first service (i.e. MR acts as proxy between the BES network and the client network) (fig. 1c; col. 22, lines 50-65); and translating, by said message routing network, said message for delivery to said first service (col. 32, lines 46-50), wherein said translated message includes said identifier (col. 20, lines 47-52) and is directed from said mapped service to said first service (col. 21, lines 32-53; col. 22, lines 22-29).

7. As per claim 10, Zombek taught the invention as claimed comprising:
a message routing network that enables routing of a message between a first service and a second service, said message being associated with an account being supported by said second service, wherein said message routing network is operative to effect a virtual service (i.e. MR provides mapping of message between the BES and the client application) through which said first service and said second service communicate, wherein implementation of said virtual service is supported by a mapping that associates said virtual service with said account (col. 22, lines 51-61) (i.e. MR acts as a proxy for mapping client application message with account information (e.g. server ID and service type) of the registered server).
8. As per claim 11, Zombek taught the invention as claimed in claim 10 above. Zombek further taught wherein said message includes an identifier that is associated with said account (col. 20, lines 47-52; col. 21, lines 6-13).

9. As per claims 12 and 14, Zombek taught the invention as claimed in claim 10 above. Zombek further taught wherein mapping is stored by said message routing network, and said mapping is stored by said second service (col. 22, lines 26-29, 51-59).

10. As per claim 13, Zombek taught the invention as claimed in claim 12 above. Zombek further taught wherein said message routing network adds an identifier of said account to a message being delivered to said second service (col. 15, lines 26-33).

Claim Rejections – 35 USC 103

11. Claim 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zombek and Shiozawa, U.S. Patent Application Publication 20010005358 (hereinafter Shiozawa) in view of Official Notice.

12. As per claim 1, Zombek taught the invention substantially as claimed for routing an application-level message (col. 4, lines 36-39) between services in a message routing network, said application-level message including a header (col. 22, lines 52-54) and one or more of a body (col. 48, lines 40-41) comprising:

associating an identifier with an entity that has been authenticated by said message routing network, wherein said identifier is to be associated with an entity account upon

authentication of said entity with a first service that supports said entity account (col. 20, lines 35-51; col. 21, lines 32-53; col. 22, lines 23-29);

receiving, from a second service, a message including said identifier, said message being directed to a mapped service (e.g. MR) (col. 20, lines 47-52; col. 21, lines 6-13), wherein said mapped service is an entity account-specific representation of said first service (col. 21, lines 39-53) (i.e. MR represents the service type of the BES or server application) and acts as a proxy for said first service (i.e. MR acts as proxy between the BES network and the client network) (fig. 1c; col. 22, lines 50-65); and

translating, by said message routing network, said message for delivery to said first service (col. 32, lines 46-50), wherein said translated message includes said identifier (col. 20, lines 47-52) and is directed from said mapped service to said first service (col. 21, lines 32-53; col. 22, lines 22-29).

13. Zombek did not teach determine whether a route for a message needs to be modified. Shiozawa taught a mapped service is operable to determine whether a route for a message needs to be modified prior to delivering the message to a destination (page 5, paragraphs 73-76); and when the mapped service determines that said route for the message does not need to be modified, the message is delivered to the destination (page 5, paragraphs 72 and 73).

14. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Zombek and Shiozawa because Shiozawa's teaching of

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determining whether a route for a message needs to be modified would increase the reliability of Zombek's system by allowing restoration of data transmission in case of fault occurrence without undesired reduction in efficiency on the use of network bandwidth (page 1, paragraphs 1 and 9).

15. Zombek and Shiozawa did not teach an attachment. "Official Notice" is taken for the concept of message with attachment if known and accepted in the art (e.g. email with attachment). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include attachment because by doing so it would efficiency of their systems by allowing a file to be sent with a message instead of individually sending the message and the file.

16. As per claim 2, Zombek and Shiozawa taught the invention substantially as claimed in claim 1 above. Zombek further taught wherein said identifier is a message routing network ID (col. 22, lines 26-29).

17. As per claim 3, Zombek and Shiozawa taught the invention substantially as claimed in claim 2 above. Zombek further taught wherein said identifier is a message routing network ID for said mapped service (col. 22, lines 26-29).

18. As per claim 4, Zombek and Shiozawa taught the invention substantially as claimed in claim 1 above. Zombek further taught comprising the step of associating said identifier with an

entity account upon authentication of said entity with said first service (col. 14, lines 66-col. 15, lines 1).

19. As per claim 5, Zombek and Shiozawa taught the invention substantially as claimed in claim 1 above. Zombek further taught wherein said translating comprises adding an identifier of said entity account to said message (col. 15, lines 26-33).

20. As per claim 6, Zombek and Shiozawa taught the invention substantially as claimed in claim 1 above. Zombek further taught wherein upon receipt of said translated message, said first service associates said identifier with said entity account based on a mapping internal to said first service (col. 22, lines 26-29, 51-59).

21. As per claim 7, Zombek and Shiozawa taught the invention substantially as claimed in claim 1 above. Zombek further taught comprising receiving a second message from said first service, said second message being directed to said mapped service (col. 24, lines 49-56).

22. As per claim 8, Zombek and Shiozawa taught the invention substantially as claimed in claim 7 above. Zombek further taught comprising translating said second message for delivery to said second service (col. 32, lines 66-col. 33, lines 2).

23. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giroux et al U.S. Patent Application Publication 2004/0243574 (hereinafter Giroux) in view of Bantz et al, U.S. Patent 6,925,488 (hereinafter Bantz).

24. Giroux and Bankz were cited in the last office action.

25. As per claim 15, Giroux taught the invention substantially as claimed comprising:
providing a proxy service ((e.g., ASP server, 160, fig. 3) for messages transferred between a first application service provider (110, fig. 3) and a second application service provider (120, fig. 3) in a message routing network (page 3, paragraph 53) (i.e., ASP server 160 providing a proxy service for transferring data from ASP server 110 to ASP server 120), said first application service provider and said second application service provider providing application services for an enterprise (page 1, paragraph 6), said proxy service being provided by the message routing network (fig. 3) and enabling said first application service provider to send information on behalf of said enterprise to said second application service provider (page 4, paragraph 65) (i.e., requesting data from ASP server 110 on behalf of the user and sending the requested data to ASP server 120).

26. Giroux did not specifically teach sending information without having knowledge of the sender and the receiver. Bantz taught a proxy service enabling a first server to send information on behalf of said enterprise to a second server without said first server and said second server having knowledge of each other (col. 6, line 56-col. 7, line 25).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Giroux and Bantz because Bantz's method of sending message without sender and receiver having knowledge of each other would increase the efficiency of Giroux's system by allowing message to be sent to recipients without burdening a the message sender with the identification of all of the recipients (col. 5, lines 25-31).

28. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Giroux and Bantz in view of Zombek.

29. As per claim 16, Giroux and Bantz taught the invention substantially as claimed as in claim 15 above. Giroux and Bantz did not teach adding an account identifier to a message. Zombek taught wherein said proxy service adds an account identifier to a message that is transmitted to said second application service provider (col. 15, lines 26-33).

30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Giroux, Bantz and Zombek because Zombek's teaching of adding an account identifier to a message would increase the efficiency's of Giroux's and Bantz's systems by allowing a recipient to quickly identify the sender of the message.

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ichinohe et al, U.S. Patent 6,148,411, disclosed a method of determining whether a route needs to be modified.

Callon, U.S. Patent 7,035,202, disclosed a method of determining whether a route needs to be modified.

32. Applicant's arguments with respect to claims 1-8, filed 3/27/06 have been considered but are moot in view of the new ground(s) of rejection and applicant's arguments with respect to claims 15 and 16, filed 3/27/06 have been fully considered but they are not persuasive.

33. In the remarks, applicant argued that:

- (1) the message router of Zombek does not function as a proxy through which two services communicate as required by claim 10.
- (2) ASP server of Giroux cannot be considered to be equivalent to the proxy service of claim 15.
- (3) it makes little sense to combine Giroux and Bantz.

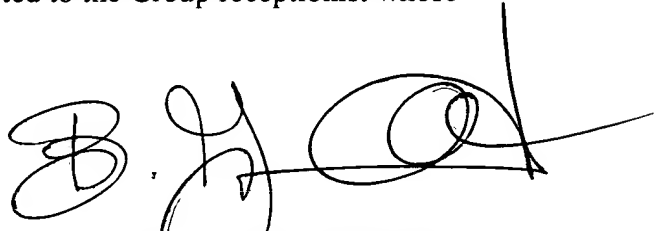
34. In response to point (1), Zombek taught a message router (MR) receiving a message and redirect the message to a Back End Server (BES) (col. 22, lines 50-68). The MR certainly can be consider as a proxy through with client application and server application communicate by sending message.

35. In response to point (2), applicant states in page 8, paragraph 5 that proxy service or proxy server is defined as a service that allows clients to make indirect network connections to other network services. A client connects to the proxy service, then requests a connection, file or other resource available on a different server. The proxy service provides the resource either by connecting to the specified server, or by serving the resource from a cache. It is noted that a “proxy service” does not necessarily be functioning or be implemented on a proxy server, hence does not inherent all the functionalities of a well known proxy server. Giroux taught the proxy service with the function of messages transferred between a first application service provider and a second application service provider in a message routing network, said proxy service being provided by the message routing network and enabling said first application service provider to send information of behalf of said enterprise to said second application service provider (see rejection of claim 15 above) substantially as claimed in claim 15.

36. In response to point (3), applicant alleges that Bankz teaching of transferring without first application provider and said second application service provider having knowledge of each other would be difficult to accomplish with Giroux teaching. Applicant states that Giroux is to transfer data at the request of the user, it would be difficult to accomplish without the user having knowledge of the destination (page 9, paragraph 1 of remark). Examiner disagree. A user in Giroux’s teaching can request transfer of data, wherein the transfer of data is based on the message categories according to Bantz’ s teaching without the user having knowledge of the destination (col. 6, line 56-col. 7, line 25).

37. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Lee whose telephone number is (571) 272-3967. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Philip Lee



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SUPERVISORY PATENT EXAMINER